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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/718,151

11/20/2003

I-Jong Lin

200312186-1

8992

22879 7590 12/16/2009

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Intellectual Property Administration

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EXAMINER

LIEW, ALEX KOK SOON

ART UNIT

PAPER NUMBER

2624

NOTIFICATION DATE

DELIVERY MODE

12/16/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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1. The amendment filed on 9/24/09 is entered and made of record.

**2. Response to Applicant's Arguments**

I. On page 13 of the reply, the applicant stated:

"In contrast, Blank does not teach or suggest a displayed image or an electronic display for displaying such a displayed image. The Office Action states that "Blank reads on a method for processing a display image (see figure 1) comprising steps of passively testing a first version of a displayed image..., and..., actively testing a portion of said displayed image..., being displayed on said display device ...." (Action, pp. 3-4)."

The examiner disagrees; Shown in figure 1, the object, 22, and the display device, 24, is constantly shown on the electronic display device, 20. Since the images in figures 5A-5D are taken in sequences, and the images of the object 22 and display device 24, are constantly displayed on the *electronic display*, 22, Blank reads on wherein said second version of said displayed image is captured by means for capturing after being displayed on said means for *electronically displaying*.

II. On page 15 of the reply, the applicant stated: "In contrast, Blank does not teach or suggest comparing a value of each pixel of a first version of a displayed image captured by an image capture device to a corresponding value of each pixel of the displayed image. Blank simply teaches the step of systematically comparing the hue gamma of a standard pixel with a neighboring pixel to determine if the neighboring pixel is different. In other words, the system of Blank simply compares neighboring pixels within a single image."

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There no limitation in claim 8, which cite that the first version of a displayed image is not the same as the displayed image it self. So Blank's step of systematically comparing the hue gamma of a standard pixel with a neighboring pixel to determine if the neighboring pixel is different reads on the claimed limitation of claim 1.

The arguments presented by the applicant are not convincing; the examiner will repeat the same rejections.

**3. Allowable subject matter**

Claims 1-6 are allowable.

**4. Claims Objections**

Claims 9, 15 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With regards to claim 9, the examiner cannot find any applicable prior art disclosing changing a display value of said portion of said displayed image to generate said second version of said displayed image; capturing said second version of said displayed image with said image capture device; and selectively confirming said portion of said displayed image as occluded based on an analysis of said second version of said displayed image in combination with the rest of the limitations of claim 7.

With regards to claims 15 and 21 see the rationale for claim 9.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7, 8, 10, 11, 13, 14, 16, 17, 19, 20, 22, 23 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Blank (US pat no 5,345,313).

With regards to claim 7, Blank reads on a method for processing a display image (see figure 1) comprising the steps of:

passively testing a first version of said displayed image captured by an image capture device to determine if a portion of said displayed image is blocked from said image capture device (see column 8, lines 44-50, if the test pixel is determined to be an edge pixel then it is also an occluded pixel, image in figure 5C is read as the first version);

actively testing said portion of said displayed image based on said first version of said displayed image and a second version of said displayed image to confirm whether said portion of said displayed image is blocked from said image capture device, wherein

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said second version of said displayed image is captured by said image capture device after being displayed on said a display device (see column 9, lines 50-57, if it is determined as a fuzzy edge pixel then pixel is occluded, image in figure 5D is read as the second version);

and an electronic display for displaying an image (see figure 1, element 22).

The images in figures 5C and 5D are captured in sequence, discussed on column 5, lines 17-19.

With regards to claim 8, Blank reads on comparing a value of each pixel of said first version of said displayed image captured by said image captured by said image device after being displayed on a display device (see figure 4, 60, current pixel is compared to the last pixel, where all pixels in the image is compared to each other).

With regards to claim 10, Blanks reads on testing another portion of said display image proximate said confirmed portion of said displayed image for occlusion (the entire image is tested, figure 4, 70 indicates the entire image is tested).

With regards to claim 11, Blanks reads on actively testing all of the pixels of said displayed image, prior to said step passively testing to initialize an estimate of said displayed image (figure 6, diagram showing the testing of the fuzzy edge image).

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With regards to claims 13, 19 and 25, see the rationale for claim 7. In addition, Blanks discloses using a computer to process the steps of its invention (figure 3).

With regards to claims 14 and 20 see the rationale for claim 8.

With regards to claims 16 and 22 see the rationale for claim 10.

With regards to claims 17 and 23 see the rationale for claim 11.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 12, 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanks '313 in view of Eschbach (US pat no 5,208,871).

With regards to claim 12, Blanks discloses all the limitations of claim 7, but does not disclose changing a threshold associated with said step of passively testing said first version of said displayed image, based upon a result of said of actively testing said portion of said displayed image. Eschbach discloses changing a threshold associated with said step of passively testing said first version of said displayed image, based upon

a result of said of actively testing said portion of said displayed image (see column 9, lines 2-7). One skilled in the art would include such feature because to change values of blurry edges to improve image quality.

With regards to claims 18 and 24, see the rationale for claim 12.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEX LIEW whose telephone number is (571)272-8623 or cell (917)763-1192. The examiner can be reached anytime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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12/10/09